

Acquisition Advisory Panel
Initial Working Groups
February 28, 2005

(As Revised by Panel Chair at Subject Meeting)

Commercial Practices/Commercial Items

Ty Hughes (Co-Chair)
David Drabkin (Co-Chair)
Marshall Doke
Roger Waldron

Performance-based Contracting

Allan Burman (Co-Chair)
Carl DeMaio (Co-Chair)
Louis Addeo
Joshua Schwartz

Government-wide Contracts and Interagency Contract Vehicles

Frank Anderson (Co-Chair)
Jonathan Etherton (Co-Chair)
Deidre Lee
Thomas Luedtke
Melanie Sabelhaus

Cross-cutting Issues – Small Business

Melanie Sabelhaus (Chair)
Deidre Lee
Louis Addeo
Roger Waldron

Cross-cutting Issues – Federal Workforce

Joshua Schwartz
David Drabkin
Frank Anderson
Carl DeMaio
Allan Burman

Notes: (1) The Panel Chairperson, Marcia Madsen, may participate in any or all groups.
(2) Roger Waldron will be a resource for Federal Supply Schedule issues

Acquisition Advisory Panel

Initial Working Group Issues

February 28, 2005

Government-wide Contracts and Interagency Contract Vehicles

1. Are government-wide contracts and other interagency contract vehicles sufficiently open to head-to-head competition to allow participation of new competitors and access to new technology and services?

-- what data exist regarding the use of competition and how it affects awards of these contracts?

2. Are task orders awarded with sufficient use of competition? Should task orders be awarded using head-to-head competition?

-- what data exist regarding use of competition on task orders and how it affects awards?

3. Do smaller companies and small businesses receive the maximum opportunity to compete under these contracts?

4. Is the use of the Federal Supply Schedule for major procurements of services (e.g., procurements over \$100 million) appropriate? What is the legal basis for using the FSS for such major procurements?

-- Does the use of the FSS for major procurements reflect an appropriate allocation of risk?

5. Do task orders use the firmest appropriate pricing arrangement possible (e.g., fixed-price?)

6. How should the overall benefits and drawbacks of these instruments be evaluated and compared? Does data exist to make such comparisons?

-- Is it possible to determine whether actual competition would produce a better value for the taxpayer?

7. Who is responsible for administration and monitoring of these contracts and orders placed under these contracts, e.g., is it the agency holding the contract or the user?

-- What mechanisms exist to enforce the contract terms if the user does not properly administer the order?

8. Do sponsoring agencies have a conflict-of-interest between marketing to increase their business and protecting the taxpayer by using optimal contracting methods?

9. Potential issues for presentation by commercial entities at the March and April Panel meetings:

- Do commercial entities use similar contract vehicles, i.e., do commercial entities order new requirements from schedules or do they conduct actual competitions?
- What pricing arrangements are used by commercial entities for task orders under existing contracts?
- Do commercial entities use cost reimbursement, time and materials, or labor hour arrangements for task orders. If so, under what conditions and limitations?
- What limitations do commercial entities impose on use of task orders without going back to the marketplace for a new competition?
- What types of terms do commercial entities use in task order contracts?